

REMARKS

Claims 1-20 are pending. By this response, claims 17 and 19 are cancelled and claims 15 and 18 are amended. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

The Office Action rejects claims 1, 3, 5, 7, 11, 13, 15 and 16-20 under 35 U.S.C. §103(a) as being unpatentable over Tock (U.S. Patent No. 5,815,718) in view of Domenikos, et al. (U.S. Patent No. 5,838,910); claims 2 and 12 under 35 U.S.C. §103(a) as being unpatentable over Tock and Domenikos in view of Snyder, et al. (U.S. Patent No. 6,161,147); claims 4 and 14 under 35 U.S.C. §103(a) as being unpatentable over Tock and Domenikos in view of Tso, et al. (U.S. Patent No. 6,247,050); claims 7-9 under 35 U.S.C. §103(a) as being unpatentable over Tock and Domenikos in view of Kimishima (U.S. Patent No. 5,978,846) and claim 10 under 35 U.S.C. §103(a) as being unpatentable over Tock and Domenikos in view of Kimishima and Tso. These rejections are respectfully traversed.

For reasons of brevity, applicant incorporates herein the arguments filed in the Response dated July 10, 2003.

The Examiner alleges that Tock teaches each and every feature of the claims except for the execution device, request device and memory being remotely located through a network. The Examiner alleges that Domenikos makes up for this deficiency. Applicant respectfully disagrees.

Domenikos is similar in operation to that of Tock in which two separate devices are located through a network to communicate with each other. Applicant submits that the present invention provides three separate devices, for example, a request device and an execution device and a memory. Each of these three devices are connected to a network. The three devices operate together through the network to request an execution module, retrieve the execution module and execute the module.

In contrast, Domenikos provides a system in which two devices operate together through a network to find, retrieve and execute applications. In Domenikos, a client (12) accesses through a network an internet server (14). See column 8, lines 5-35. The internet server contains various programs for use on different platforms such as a PC (50), UNIX (52) or MAC (54). See column 10, lines 36-41. The application program may then be executed at the remote server location during a browser operation. See column 12, lines 15-67 through column 13, lines 1-3 and column 14 lines 39-56. The system of Domenikos therefore operates by the client sending a request to the server and the server retrieving and executing the requested application. Therefore, Domenikos cannot teach the claimed features of the present invention and in fact teaches away from the present invention, since it does not teach or suggest the use of a request device, execution device and memory each which are remotely located through the network.

Thus, Domenikos does not make up for Tock's deficiencies and the combination of Tock and Domenikos fail to teach or suggest *inter alia*, a memory, linked to the network...a request device located on said network remotely from said memory...and an execution device, located on said network remotely from said memory and said request device, as recited in claims 1 and 11. Further, the combination of Tock and Domeniko fail to teach or suggest, *inter alia*, receiving an execution request, through a network, from a request device...acquiring, from an external resource, one of the plurality of function execution modules...wherein the external resource is located remotely on said network from said execution device, as recited in claim 15. Finally, the combination of Tock of Domenikos fail to teach or suggest, *inter alia*, storing plural diverse execution modules in a memory located remotely on said network from said operational devices...requesting an action by request device to be performed by selected operational device...requiring said requested execution module by said selected operational device from said remote memory said operational device executing said set of instructions contained in said requested execution module to perform the requested action, wherein the request device is remotely located on the network from said plural operation devices and said memory, as recited in claim 18.

In view of the above, it is respectfully submitted that the combination of Tock and Domenikos fail to teach or suggest the claimed features as recited in independent claims 1, 11, 15 and 18. Further, Snyder, Tso and Kimishima fail to

make up for the deficiencies of Tock and Domenikos. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Conclusion

For at least these reasons, it is respectfully submitted that claims 1-16, 18 and 20 are distinguishable over the cited references. Favorable consideration and prompt allowance are earnestly solicited.

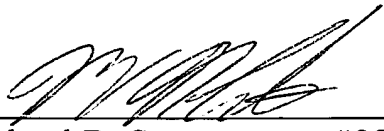
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appl. No. 09/337,500

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Michael R. Cammarata, #39,491

MRC/CJB:cb
2565-0175P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s)